

**Notice of Allowability**

Application No.

10/648,960

Applicant(s)

BENJAMIN ET AL.

Examiner

Tonia L. Meonske

Art Unit

2181

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the response filed 12/28/2006.
2. ☒ The allowed claim(s) is/are 4,6-8,11-14,16-18 and 21-25.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### ***Terminal Disclaimer***

1. The terminal disclaimer filed on December 6, 2006 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. Patent 6,622,238 has been reviewed and is accepted. The terminal disclaimer has been recorded.

### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

3. Authorization for this examiner's amendment was given in a telephone interview with Jon Holland on February 13, 2007.

a. Claims 1-3, 5 and 15 have been cancelled.

### ***Allowable Subject Matter***

4. The following is an examiner's statement of reasons for allowance:

a. Referring to claim 4, the prior art of record has not taught or suggested "*to detect whether an instruction in said second stage is stalled and to select said selected predicate value based on whether said instruction in said second stage is stalled,*" in combination with the claimed pipeline, register and circuitry.

b. Referring to claim 6, the prior art of record has not taught or suggested "*said second circuitry configured to select a predicate value among said second*

*plurality of simultaneously received predicate values, and to transmit to said second stage, said predicate value selected among said second plurality of predicate values*" in combination with the claimed register, pipeline, first circuitry and second circuitry.

c. Referring to claim 12, the prior art of record has not taught or suggested *"selecting, based on said control signal, between said new predicate value and said predicate value read from said register in said reading step; transmitting said predicate value selected in said selecting step to said second stage of said pipeline; and processing said instruction via said second stage based on said predicate value selected in said selecting step"* in combination with the providing, producing, writing, receiving, reading, transmitting and processing steps, as claimed.

d. Referring to claim 18, the prior art of record has not taught or suggested *"selecting a predicate value among said second plurality of predicate values; transmitting said predicate value selected among said second plurality of predicate values to said second stage of said pipeline; and processing said instruction in said second stage of said pipeline based on said predicate value transmitted to said second stage"* in combination with the claimed providing, reading, simultaneously receiving, selecting, transmitting and processing steps.

e. Referring to claim 21, the prior art of record has not taught or suggested *"circuitry configured to transmit said selected predicate value to said second stage, wherein said circuitry includes a latch that is configured to receive said*

*selected predicate value and to transmit said selected predicate value to said second stage in response to an edge of a clock signal, and wherein second predicate value is received by said circuitry from another latch*" in combination with the register, pipeline and circuitry, as claimed.

f. Referring to claim 22, the prior art of record has not taught or suggested *"circuitry configured to transmit said selected predicate value to said second stage, wherein said circuitry includes a latch that is configured to receive said selected predicate value and to transmit said selected predicate value to said second stage in response to an edge of a clock signal, and wherein second predicate value is received by said circuitry from said latch"* in combination with the register, pipeline and circuitry, as claimed.

g. Referring to claim 24, the prior art of record has not taught or suggested *"wherein said first stage is configured to process said instructions based on said first predicate value transmitted to said first stage, and where said second stage is configured to process said instruction based on said selected predicate value,"* in combination with the claimed pipeline, first circuitry and second circuitry.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**


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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tonia L. Meonske whose telephone number is (571) 272-4170. The examiner can normally be reached on Monday-Friday with first Friday's off.

7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks can be reached on (571) 272-4201. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TLM



DONALD SPARKS  
SUPERVISOR, PATENT EXAMINER